

(counsel of record on following page)

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA- SACRAMENTO DIVISION**

EFREN LINARES, individually, and on  
behalf of all others similarly situated, and on  
behalf of the State of California and  
aggrieved employees pursuant to the Private  
Attorneys General Act,

Plaintiff,

vs.

ABM INDUSTRY GROUPS, LLC.,  
FLOWERS BAKING CO. OF MODESTO,  
LLC., and DOES 1 through 50, inclusive;

Defendants.

Case No.: 1:22-cv-00816-TLN-CKD

**CLASS ACTION**

**JOINT STIPULATION AND ORDER TO  
ADJUST SCHEDULING ORDER**

*Before the Honorable Troy L. Nunley and Carolyn  
K. Delaney*

Complaint filed: July 1, 2022

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21 ABM INDUSTRY GROUPS, LLC.

22 AND FLOWERS BAKING CO.

OF MODESTO, LLC

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**JOINT STIPULATION**

Plaintiff EFREN LINARES and Defendants ABM INDUSTRY GROUPS, LLC and FLOWERS BAKING CO. OF MODESTO, LLC (together, “Defendants”) (Plaintiff and Defendants collectively referred to as the “Parties”), through their respective attorneys of record, hereby stipulate and agree as follows:

WHEREAS, this matter is a putative class, collective, and Private Attorneys General Act (“PAGA”) action based primarily upon Plaintiff’s allegations that Defendants fail to pay overtime wages at the regular rate of pay.

WHEREAS, Plaintiff filed his Motion for Class Certification on December 16, 2024 (ECF No. 44);

WHEREAS, the Parties previously stipulated to, and this Court approved, three extensions on Defendants’ deadline to file their Opposition to Class Certification (ECF Nos. 46, 48 and 51);

WHEREAS, the Parties previously stipulated to and the Court approved extensions of Plaintiffs’ deadline to file their Opposition to Class Certification (ECF Nos. 46, 48 and 51);

WHEREAS, Plaintiff’s Reply Brief is currently due on May 5, 2025;

WHEREAS, the Parties agree that, based on the previous extensions granted to Defendants, Plaintiff be granted a two-week extension to file his Reply Brief, until May 19, 2025;

WHEREAS, the Court recently vacated the hearing on the Motion for Class Certification (ECF No. 50);

WHEREFOR, pursuant to the Parties’ agreement and this stipulation, the Parties ask the Court to adjust the Scheduling Order as follows: That the deadline to file Plaintiff’s Reply Brief be continued from May 5, 2025 to May 19, 2025.

**IT IS SO STIPULATED.**

DATED: May 2, 2025

By: /s/ Stan Mallison  
Stan Mallison  
Hector Martinez  
Cody Bolce  
Gonzalo Quezada Jr.  
Attorneys for Plaintiff

DATED: May 2, 2025

By: /s/ Alexander Chemers  
Alexander Chemers  
Paul M. Smith  
Attorneys for Defendants

**ORDER**

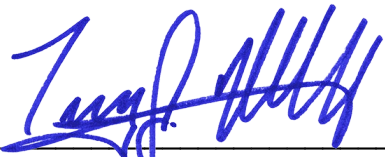
The Court, having reviewed the foregoing stipulation, and good cause appearing, hereby  
**ORDERS** as follows:

The Court's Class Action Scheduling Order issued on January 23, 2024 (ECF No. 36) is hereby adjusted as follows:

1. Plaintiff's Reply Brief in support of Class Certification is due by May 19, 2025 (previously May 5, 2025).

**IT IS SO ORDERED.**

Dated: May 2, 2025

  
\_\_\_\_\_  
Troy L. Nunley  
Chief United States District Judge

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